

City of Somerville, Massachusetts
Matters of Business of the Board of Aldermen

MINUTES OF THE REGULAR MEETING

February 8, 2007, 7:00 PM
Aldermanic Chambers

NOTICE: This is NOT the official version of the Board of Aldermen's minutes. While reasonable efforts have been made to assure the accuracy of the data provided, do not rely on this information without first checking with the City Clerk.

PRESENT for all or part of the meeting: President Robert C. Trane, Vice President Dennis M. Sullivan, Aldermen Bruce M. Desmond, William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Walter F. Pero, Sean T. O'Donovan, Rebekah L. Gewirtz.

OPENING OF THE MEETING

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| 1. | Roll Call | Call of the Roll. | 182641
Placed on File |
| 2. | Minutes Approval | Approval of the minutes of the Organizational Meeting of Jan. 1, 2007, and the Regular Meeting of Jan. 11, 2007. | 182642
Approved |

CITATIONS

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|----|----------|--|--------------------|
| 3. | Citation | By Ald. Roche, Sullivan and the Entire Board, Congratulating Vera DeAngelis on the happy occasion of her 100 th birthday. | 182643
Approved |
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PUBLIC HEARINGS

None

**ORDERS, ORDINANCES, RESOLUTIONS
AND MOTIONS OF MEMBERS**

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| 4. | Order | By Ald. Taylor, That the Chief of Police increase patrols around Prospect Hill Tower from 10 PM - 2 AM. | 182644
Approved |
| 5. | Order | By Ald. Taylor, That the City Solicitor prepare an ordinance prohibiting the demolition of structures by neglect of necessary maintenance and repair. | 182645
Approved, Copy to
Legislative Matters |

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| 6. | Order | By Ald. Taylor and Heuston, That the Chief of Police consider establishing a foot patrol in the Union Sq. area during morning and late evening hours. | 182646
Approved |
| 7. | Order | By Ald. Taylor and Heuston, That the Director of Traffic and Parking enforce the double parking restriction in Union Sq. (Bow St. and Somerville Ave.) from 8 - 11 AM. | 182647
Approved |
| 8. | Order | By Ald. Pero, That the Commissioner of Public Works direct NStar to replace the lamp post in the Foss Park parking lot at the corner of Broadway and Fellsway West, and send a copy of the communication to DCR. | 182648
Approved |
| 9. | Order | By Ald. Pero, That the Commissioner of Public Works direct NStar to replace the streetlight at 388 Medford St. | 182649
Approved, Copy to
Public Utilities &
Works |
| 10. | Order | By Ald. Pero, That the Chief of Police provide surveillance to determine the cause for the disposal of hypodermic needles on Shore Dr. in the vicinity of Ten Hills Rd. | 182650
Approved |
| 11. | Order | By Ald. Pero, That the Director of SPCD initiate procedures to secure neighborhood input for the improvement of Grimmons Park. | 182651
Approved |
| 12. | Order | By Ald. Pero, That the Director of SPCD initiate procedures to advise on the pedestrian underpass under Rt. 28 to access Assembly Sq. as mitigation for the proposed development. | 182652
Approved |
| 13. | Order | By Ald. Heuston, That the Commissioner of Public Works clean the Durrell School Park area and repair the fence. | 182653
Approved |
| 14. | Order | By Ald. Heuston, That the Director of Traffic and Parking replace the Beacon Place street sign. | 182654
Approved |
| 15. | Order | By Ald. Heuston, That the Commissioner of Public Works clean Perry Park and ensure that all lights are operational. | 182655
Approved |
| 16. | Order | By Ald. Sullivan, That the Commissioner of Public Works and the Director of Constituent Services improve communications to the public on all construction projects. | 182656
Approved |
| 17. | Resolution | By Ald. Sullivan and Trane, That this Board requests that the Traffic Commission, in conjunction with Police Sgt. Rooney, develop a "Taxi Cab Passengers' Bill of Rights" to ensure that customers are treated fairly and with respect. | 182657
Approved |

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| 18. | Order | By Ald. Trane, That the Director of SPCD and the Chief Fire Engineer work with the City Solicitor to compile a list of the city's most fined landlords for health, building and fire code violations and publish a list of the top ten on the city's web site so the public and prospective tenants may be aware of these properties and the risks they pose. | 182658
Approved |
| 19. | Order | By Ald. Trane, That the City Environmental Director forward to the Committee on Environment and Energy, all studies of the Capuano School site for contaminants prior to the start of construction, and send all future reports and data for the Tufts St. clean up to the Committee for review. | 182659
Approved, Copy to
Environment & Energy |
| 20. | Order | By Ald. Trane, Roche and Desmond, That the City Clerk start a repository for all records pertaining to the Tufts St. clean up, make them available for public review, and arrange for all future records to be handled the same way. | 182660
Approved, Copy to
Environment & Energy |
| 21. | Resolution | By Ald. Trane, Roche and Sullivan, That this Board requests that the Administration investigate grant funds from the DEP or NIH for independent testing of the Capuano School and other properties in the area of the Tufts St. clean up site to ensure that all data collected is correct and that conditions are safe for humans. | 182661
Approved as Amended:
After "independent
testing" insert "or for
peer review," Copy to
Environment & Energy |
| 22. | Order | By Ald. Gewirtz, That the Commissioner of Public Works place a trash barrel on College Ave. at Francesca Ave. | 182662
Approved |
| 23. | Order | By Ald. Gewirtz, That the Superintendent of Inspectional Services update the Ward 6 Alderman on the generators at 119 College Ave. that were supposed to be moved to the roof of the building. | 182663
Approved |
| 24. | Order | By Ald. Gewirtz, That the Commissioner of Public Works instruct NStar to replace the burnt out and blinking light bulbs on Francesca Ave. | 182664
Approved |
| 25. | Resolution | By Ald. Desmond, Heuston and the Entire Board, That this Board requests that the Mayor investigate with the Middlesex County District Attorney and the MIAA, why members of the High School boys basketball team were subjected to racist and derogatory chants from Arlington High School fans during a Feb. 6 game, and why no one from the Arlington School or Police Depts. intervened. | 182665
Approved, Copy to
Youth |
| 26. | Order | By Ald. Desmond and O'Donovan, That the Clerk of Committees notify representatives of Verizon, NStar, Comcast and RCN to appear before the Committee on Public Utilities and Works to explain why they stated that the double pole at 12 Morrison Ave. was stabilized and reinforced when in fact nothing has changed at that pole. | 182666
Approved, Ald. Roche
Recused, Copy to
Public Utilities &
Works |

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| 27. | Order | By Ald. Desmond and O'Donovan, That the Director of SPCD investigate why the dumpster at 270 Highland Ave. is regularly overfilled with trash and take corrective action. | 182667
Approved |
| 28. | Order | By Ald. Desmond and Roche, That the Director of Traffic and Parking replace the NO THRU TRAFFIC sign at Broadway and Mt. Pleasant St. | 182668
Approved |
| 29. | Order | By Ald. Desmond and Roche, That the Director of Traffic and Parking replace the NO PARKING signs at Franklin and Pearl Sts. across from 70 Pearl St. | 182669
Approved |
| 30. | Order | By Ald. Desmond and Roche, That the Director of SPCD appear before this Board to discuss the property at the corner of Pearl and Florence Sts. | 182670
Approved as Amended:
Add 47 Houghton St. &
8 Belmont St., Copy to
Legislative Matters |
| 31. | Resolution | By Ald. Desmond, Heuston and Trane, That this Board proclaims the last week of March through the last week of April, 2007, as Motorcycle Safety and Awareness Period, and grants permission to the MA Motorcycle Association to erect a 2' x 4' CHECK TWICE sign on an agreed-upon location, and that the city appoint a public safety official to work with this organization to coordinate this effort locally. | 182671
Approved |
| 32. | Order | By Ald. White, That the City Solicitor and Environmental Coordinator appear before the Committee on Public Health and Safety to discuss the Public Safety Building and any pending or potential litigation. | 182672
Approved, Copy to
Public Health & Safety
and Environment &
Energy |
| 33. | Ordinance | By Ald. White, Establishing the method by which the dates for a special election shall be determined. | 182673
Legislative Matters |
| 34. | Order | By Ald. White, That the Director of Personnel appear before the Committee on Public Health and Safety to discuss the process being used to select a Chief of Police. | 182674
Approved, Copy to
Public Health & Safety |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

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| 35. | Committee Report | Report of the Committee on Housing & Community Development, Jan. 30. | 182675
Approved |
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35A.	Order	By Ald. Taylor, That the Director of SPCD provide the Housing and Community Development Committee with a list of the types of jobs created in 2006.	182676 Approved, Copy to Housing & Community Development
35B.	Order	By Ald. White, That the Director of SPCD provide the Housing and Community Development Committee with data on the city's FY06 employment and labor force.	182677 Approved, Copy to Housing & Community Development
35C.	Order	By Ald. White, That the Director of SPCD provide the Housing and Community Development Committee with the method used to figure the city's FY06 employment.	182678 Approved, Copy to Housing & Community Development
36.	Committee Report	Report of the Committee on Legislative Matters, Jan. 30.	182679 Approved as Amended: #182518 Returned to Legislative Matters
36A.	Mayor's Request	Requesting approval of Home Rule Petition to delete Section 2 of Chapter 316 of the Acts of 2004, eliminating the sunset clause to reorganize the health inspectors.	182517 Approved
36B.	Mayor's Request	Requesting approval of Home Rule Petition to exempt the position of Supervisor and Asst. Supervisor of School Custodians from the provisions of Civil Service Law.	182518 Returned to Legislative Matters
36C.	Order	By Ald. Trane, That the Clerk of Committees request that the Administration provide this Board with an update on all Home Rule Petitions forwarded to the State.	182680 Approved
37.	Committee Report	Report of the Committee on Environment & Energy, Feb. 5.	182681 Approved
37A.	Order	By Ald. Trane, That the City Solicitor provide the Committee on Environment & Energy with an opinion of homeowners' responsibilities to notify tenants or insurance companies of hazardous waste impacts on their properties.	182682 Approved, Copy to Environment & Energy
38.	Committee Report	Report of the Committee on Licenses & Permits, Feb. 7.	182683 Approved
38A.	Public Occ	Public Occupancy Permit, Tufts Cycling Club Bike Race, Tufts area, April 1, 2007, 6AM-7:15PM.	182426 Approved as Amended: Permitted for 7AM- 6:30PM
38B.	Used Car	Renewal of Used Car Dealer License Class II, Ideal Engine Rebuilders Inc., 49 Day St., 8 Autos.	182530 Approved

38C.	Garage	New Garage License, TC Auto Exchange, 176-178 Tremont St., 2 Autos inside, 12 outside.	182626 Approved as Amended: Hrs M-F 8-5, Sa 10-2, No spray painting, body work or auto washing
38D.	Garage	New Garage License, Mass Auto Repair, 631 Somerville Ave., 14 Autos.	182627 Approved as Amended: Hrs M-F 8-5, Sa 9-2, 14 autos inside only
38E.	Used Car	New Used Car Dealer License Class II, Mass Auto Sales, 631 Somerville Ave., 14 Autos.	182628 Approved as Amended: 11 autos inside, 3 outside
38F.	Used Car	New Used Car Dealer License Class II, USA Automall, 620 Broadway, 9-9 M-Sa, 9-5 Su, 6 Autos.	182629 Approved
38G.	Used Car	New Used Car Dealer License Class II, County Auto Repair Inc., 103 Washington St., 5 Autos.	182631 Approved as Amended: Hrs M-F 8-5, Sa 9-2
38H.	Used Car	Renewal of Used Car Dealer license Class II, Somerville Auto Transport Service, 495 Columbia St., 12 Autos.	182632 Approved as Amended: Hrs M-F 8-5, Sa 9-2
38I.	Used Car	Renewal of Used Car Dealer License Class II, Isaac's Auto Sales, 486 Columbia St., 6 Autos.	182633 Approved as Amended: Hrs M-F 8-5, Sa 9-2
38J.	Used Car	Renewal of Used Car Dealer License Class II, Boston Best Car Auto Sales Inc., 266 Beacon St., 18 Autos.	182634 Approved as Amended: Hrs M-F 8-5, Sa 9-2
38K.	Sign	Sign/Awning Permit, Somerville Communications, 97 Broadway, Sign and awning.	182639 Approved
39.	Committee Report	Report of the Committee on Finance, Feb. 7.	182684 Approved
39A.	Mayor's Request	Requesting approval of a \$400,000 appropriation for Building Improvements to the High School to remediate the fuel oil release from two underground storage tanks, and authorization to borrow \$400,000 with a bond.	182607 Returned to Finance Ald. Trane Recused
39B.	Mayor's Request	Requesting approval of a \$25,000 transfer from the Library Salaries Acct. to the Capital Project Mgmt., Capital Items, Building Improvements Acct. to finish replacing lintels at the Fire Dept., 266 Broadway.	182610 Approved

39C.	Mayor's Request	Requesting approval to expend a \$14,000 grant from the MA Office of Public Safety for the Police Dept. "Click It or Ticket" and "You Drink & Drive, You Lose" campaigns.	182611 Approved
39D.	Mayor's Request	Requesting approval to abandon Butler Dr. in connection with the St. Polycarp Affordable Housing Project.	182638 Approved
39E.	Order	By. Ald. Sullivan, Heuston and Desmond, That the Library be examined for safety, with a Library Trustee, within 2 weeks, and that concerns be addressed immediately using in-house labor.	182685 Approved
40.	Committee Report	Report of the Joint Committee on Finance and Housing & Community Development, Feb. 7.	182686 Approved
40A.	Mayor's Request	Requesting approval of SPCD's proposed 1-Year Action Plan for the Federal HUD CDBG, HOME, and ESG programs, totaling \$4,791,462.	182605 Approved
41.	Committee Report	Report of the Committee on Confirmation of Appointments, Feb. 8.	182687 Approved
41A.	Mayor's Request	Requesting confirmation of the re-appointment of Commissioner of Public Works Stan Koty.	182456 Approved
41B.	Mayor's Request	Requesting confirmation of the re-appointment of City Solicitor John Gannon.	182457 Approved
41C.	Mayor's Request	Requesting the appointment of Ellen Digby as Constable.	182613 Approved

COMMUNICATIONS OF THE MAYOR

42.	Mayor's Request	Requesting approval to transfer \$7,600 from the Contingency Sick Leave Buyback Acct. to the Purchasing Salaries Acct. to settle outstanding litigation with SMEA.	182688 Approved (after moving to Exec. Session: No Votes Taken)
43.	Mayor's Request	Requesting approval to transfer \$7,195 from the Salary Contingency Acct. to the IT Salaries Acct. to adjust the salary of the IT Director.	182689 Approved
44.	Mayor's Request	Requesting approval to expend a grant of \$30,694.48 from the Boston Office of Homeland Security to the Fire Dept to cover training costs.	182690 Approved
45.		Withdrawn	

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| 46. | Mayor's Request | Requesting approval of the Financial Interest exemption for Sonya Darai, Director of the Women's Commission, to work as the Emergency Preparedness Assistant Coordinator for Special Populations. | 182691
Approved |
| 47. | Mayor's Request | Requesting the re-appointment of James Moran as Constable. | 182692
Approved |
| 48. | Mayor's Request | Requesting the re-appointment of Frank Santangelo as Constable. | 182693
Approved |

COMMUNICATIONS OF CITY OFFICERS

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| 49. | Officer Comm. | Chief Assessor requesting approval to retain outside counsel for 3 years to defend valuations at the Appellate Tax Board. | 182694
Finance |
| 50. | Officer Comm. | City Clerk conveying his Local Official Bond. | 182695
Finance |
| 51. | Officer Comm. | Director of SPCD responding to #182481 re: Assembly Sq. inquiries. | 182696
Placed on File |
| 52. | Officer Comm. | Director of SPCD responding to #182593 re: Ciampa Manor. | 182697
Placed on File |

NEW BUSINESS

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|-----|--------------|--|------------------------------|
| 53. | Public Occ | Tufts Leonard Carmichael Society's Kids Day, Tufts Campus, April 21, 9AM-3:30PM. | 182698
Licenses & Permits |
| 54. | Public Occ | On The Hill Tavern Road Race, Trum Field to Highland Ave. and back, June 24, 11:30AM. | 182699
Approved |
| 55. | Open Air | Renewal of Open Air Vendor License, J & P Flowers, 582 Broadway to sell flowers Feb. 13-14, April 8, May 13 and Nov. 22, 8AM-7PM. | 182700
Approved |
| 56. | Sign | Sign/Awning Permit, Stellar Restaurant Group dba Boloco, 187 Elm St., signs and awnings. | 182701
Approved |
| 57. | Extended Hrs | New Extended Retail Hours License, Fraiman Enterprises Inc. dba Somerville Theatre hosting 32 nd annual Sci-Fi Film Festival, 55 Davis Sq., Feb. 19, 1-5AM. | 182702
Licenses & Permits |
| 58. | Extended Hrs | New Extended Retail Hours License, Dalel Corp. dba Dunkin Donuts, 282 Somerville Ave., 24 hours, 7 days/wk. | 182703
Licenses & Permits |
| 59. | Used Car | Renewal of Used Car Dealer License Class II, Pearl St. Auto, 180 Pearl St., 2 Autos. | 182704
Licenses & Permits |

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| 60. | Comm. | State Representative Sciortino re: House #2948 and Senate #620, acts authorizing certain licensed alcohol and drug counselors to receive certain payments. | 182705
Placed on File |
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LATE ITEMS

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| 61. | Comm. | MA Motorcycle Assoc., requesting municipal participation in the State's Motorcycle Safety and Awareness Period, from late March thru April. | 182636
Discharged From
Licenses & Permits,
Placed on File |
| 62. | Mayor's
Request | Requesting approval to expend a grant of \$16,193 from the MA Dept. of Public Health for the Health Dept's emergency preparedness planning. | 182706
Finance |
| 63. | Mayor's
Request | Requesting approval of an Ordinance to require "guerilla marketing" firms to register with the Chief of Police before conducting activities in the City. | 182707
Legislative Matters |
| 64. | Mayor's
Request | Requesting approval of the appointment of Karthik Viswanathan as Director of Information Technology. | 182708
Conf. of Appointments |
| 65. | Resolution | By Ald. O'Donovan and Roche, That the City Treasurer allocate the sum of \$1,000 to the School Dept. to allow the Kennedy School Homework Club to continue. | 182709
Laid on Table via Sec.
15 by Ald. Pero |
| 66. | Public Occ | Public Property Occupancy Permit, NHL Productions film shoot, Feb. 12, 674 Broadway, 6AM-6PM. | 182710
Approved |
| 67. | Order | By Ald. White and Trane, That the City Clerk request that the MA Dept. of Environmental Protection send a letter to this Board or appear at a Committee meeting to discuss the peer review process as to the pollution from 50 Tufts St. | 182711
Approved |

Submitted by John J. Long, City Clerk